Oct-14-08 09:36am From-SIMBAS

T-534 P.001/003 F-612

Sim, Lowman, Ashton & McKay LLP

Sim & McBurney

Barristers & Solicitors

Patent & Trade Mark Agents

6th Floor, 330 University Avenue Toronto, Ontario, Canada M5G 1R7

RECEIVED CENTRAL FAX CENTER

Tel. (416) 595-1155 • Fax (416) 595-1163

OCT 1 4 2008

DATE: October 14, 2008

Application No: 10/663,722

Our Ref: 1038-1268 MIS:jb

TO	FAX#	PHONE #
US Patent and Trademarks Office	(571) 273-8300	
Mail Stop -		

Total Number of Pages (Including This Page): __3_

FROM: Michael I. Stewart / 416-849-8400

COMMENTS:

We are transmitting from a Xerox Telecopier 7033, 7020 or Workcentre Pro 745 – Group 3 which are compatible with Groups 1 and 2 and fully automatic on a 24 hour basis. If any part of this message is received poorly or missing please call the telecopier operator immediately at (416) 595-1155.

Confidentiality Notice

This message is intended only for the use of the individual person or entity to which it is addresses and may contain information that is privileged and confidential. If the reader of this message is not the intended recipient or the agent responsible for delivering the message to the intended recipient, you are hereby notified that any disclosing, copying, distributing or the taking of any action in reliance on the contents of this communication is prohibited. If you have received this communication in error, please notify us immediately by telephone (call collect) and return the original message to us at the above address via the postal service. Thank you.

RECEIVED CENTRAL FAX CENTER

Oct-14-08 09:

09:37am

From-SIMBAS

OCT 1 4 2008

T-534 P.002/003

F-612

PTO/SB/21 (09-08) Approved for use through 10/31/2008. OMB 0661-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

are required to respond to a collection of information unless it displays a yelld OMB control number.

Application Number. Under the Penerwork Reduction Act of 1995, no person Application Number 10/883,722 Filing Date September 17, 2003 TRANSMITTAL First Named Inventor George A. Cales **FORM** Art Unit 164B Examiner Name Zacharlah Lucas (to be used for all correspondence after initial filing) Attorney Docket Number Total Number of Pages in This Submission ENCLOSURES (Check all that apply) After Allowance Communication to TC Drawing(6) Fee Transmittal Form Appeal Communication to Board of Appeals and interferences Licensing-related Papers Fee Attached Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application After Final Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please identify Terminal Disclaimer below): Extension of Time Request Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Remarks Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Sim & McBurney Signature Printed name Michael I. Slewart Reg. No. 24,973 Date October 14, 2008 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date 24,973 Michael I. Stewart Typed or printed name

This collection of Information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gamering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the gamering, preparing, and submitting the complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and salect option 2.

RECEIVED CENTRAL FAX GENTER

Oct-14-08

اهدست بسيهم أثه

D9:37am

From-SIMBAS

OCT 1 4 2008

T-534 P.003/003 F-612

Sim & McBurney

Patent and Trade Mark Agents

330 University Avenue 6th floor Toronto, Canada M5G 1R7

Telephone (416) 595-1155 Fax (416) 595-1163

MICHAEL I. STEWART, B.SC (Hors.) TONI POLSON ASHTON, LL.B. KENNETH D. MCKAY, LL.B. TIMOTHY M. LOWMAN, LL.H. STEPHEN M. LANB, B.A.SC. DAVID A. RUSTON, B.SC (EE) LOLA A. BARTOSZEWICZ, Ph D. ANDREW R.O. JONES, LL.B. KIMBERLY A. MCMANUS, PLD

PATRICK J. COTTER, LL.B. MATTHEW D. POWELL, B SC. (PE)+ JAIDIP CHATTERJEH, Ph D. MARLYB MONFISTON, LLB. LORRAINE M. FLECK, M.SC. SUMEI CHEUNO, B.SC. (DE)

SENIOR CONSULTANTS PETER W. MCBURNEY, B.SC. BRENDA L. BOARDMAN, B.A. JOHN H. WOODLEY (1947-2008) PATRICIA A. RAE, Ph.D

TECHNICAL ASSISTANTS Rupinder Hans, J.D Ashlee S. Froese, Li-B GENEVIEVE P. RICHARD, LLB. ERICA L. LOWTHERS, Ph.D. MICHAEL G. PLONKA, ILSC (EE) EVANGELLOS W. VEKRIS, Ph.D.

*Professional Engineer

Picase Quote

Our ref.

1038-1268 MIS:jb

Your ref.

Writer's Direct Dial: 416-849-8400

E-mail:

mistewart@sim-mcburney.com

October 14, 2008

VIa Facsimile

(571) 273-8300

Commissioner of Patents Randolph Building 401 Dulany Street Alexandria, VA 22314 U.S.A.

Dear Sir:

RE:

US Patent Application No: 10/663,722

Applicant: George A. Cates Filed: September 17, 2003 Examiner: Zachariah Lucas

Group No.: 1648

Title: MULTIVALENT IMMUNOGENIC COMPOSITION CONTAINING RSV SUBUNIT COMPOSITION AND INFLUENZA VIRUS PREPARATION

We thank you for your Notice of Abandonment dated July 10, 2008 with respect to this application.

While this application has been abandoned, a continuation application has been filed under Application Number 12/153,540.

Yours very truly,

Michael I. Stewart Reg. No. 24,973